

Docket No.: M&N-IT-467

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By: 

Date: September 23, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applic. No. : 10/621,535
Applicant : Martin Blöcker, et al.
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Art Unit : 1756
Examiner : Stephen D. Rosasco
Docket No. : M&N-IT-467
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RESPONSE

Sir:

Responsive to the Office Action dated August 31, 2005, the following remarks are made:

In deference to the restriction requirement on pages 2 and 3 of the above-identified Office Action, applicants elect group I, claims 1-9, for prosecution at this time.

The separate listing of Group III is respectfully traversed. Group III, claim 12, defines a computer program with executable instructions for performing the method of claim 1. Claim 12 is therefore linked to claim 1 by dependency.

The Examiner's search for Group I, the method, will necessarily include computer programs, because photomasks, and specifically correction methods for mask generators, are typically generated with computers. The test for Group I, therefore, and the statement that the method may be "performed by hand" clearly does not apply.

The Examiner is respectfully urged to withdraw the separating grouping of claim 12 and to examine the claim together with the elected claims 1-9.

In view of the foregoing, the early issuance of an action on the merits of the claims is solicited.

Respectfully submitted,



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